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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,149	08/22/2003	Stephen J. Bisset	09623C-013510US	8707

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EXAMINER	
NGUYEN, KIMNHUNG T	

ART UNIT	PAPER NUMBER
2677	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/646,149	BISSET, STEPHEN J.	
	Examiner	Art Unit	
	Kimnhung Nguyen	2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Preliminary Amendment filed on 1/20/04*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/13/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This application has been examined. The claims 1-15 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. (US 5,545,857).

Regarding claim 1, Lee et al. discloses in fig. 7, a controlled display system comprising: a video display (27); a video controller (25) coupled to the video display (27) and being responsive to an input; a remote unit (10); a pointing device, (11) mounted on the remote unit (10), the pointing device (11) being capable of generating a signal corresponding to motion by an operator on the pointing device in two directions and providing the signal corresponding to the motion to the input, wherein said motion by an operator on the pointing device correlates with a cursor movement in said video display (see controlling a cursor, see abstract), the two directions including a first direction and a second direction (see col. 7, lines 1-2); the video controller (25) being configured to display a menu (see col. 7, lines 15-23), and to select among items on the menu in response to a signal generated which corresponds to motion by the

operator on the pointing device in the first direction (see fig. 4A-4B), and to select an aspect of a selected menu item in response to a signal generated which corresponds to motion by the operator on the pointing device in a second direction (see figs. 4A-4B, col. 4, lines 33-45).

Regarding claim 2, Lee discloses in figs. 4A-4B, the first direction indicates function, and motion in the second direction indicates values (see figs 4a-4B, see col. 7, lines 1-2, col. 3, lines 11-21 and col. 4, lines 33-45).

Regarding claim 3, Lee discloses a deactivation of said pointing device select a value for a selected function (see channel, column, see fig. 2, see col. 3, lines 44-45).

Regarding claim 4, Lee discloses further comprising a pointing surface (pointing device should have an pointing surface) on the pointing device (11); means (16), connected to the pointing surface, for detecting contact with the pointing surface and, responsive thereto, sending an activation signal to the video controller (25); and the video controller being configured to display the menu in response to the activation signal (by key matrix 14, see col. 7, lines 6-22).

Regarding claim 5, Lee discloses in fig. 7, the pointing device (11) is a touchpad.

Regarding claim 6, Lee discloses a tap on said touchpad (when we touch finger on the touch panel), and sending an additional control signal in response to said tap.

Regarding claim 7, Lee discloses further, the menu items include volume and channel (see fig. 2, see col. 3, lines 44-45).

Regarding 8, Lee et al. discloses the menu items are vertically arranged on said display (fig. 4B); and selection of a menu item activates an inherent horizontal display corresponding to values of the selected menu (fig. 4B).

Regarding claim 9, Lee et al. discloses in fig. 7, the pointing device (11) is mounted in a remote control unit (10), and further comprising a wireless transmitter (16) mounted in the remote control unit (10); and a wireless receiver (21) coupled to the video controller (25).

Regarding claim 10, Lee et al. discloses in fig. 7, a remote control (10) and display system comprising a video monitor (22) including a video display (25); a video controller (27) coupled to the video display and being responsive to an input; and a wireless receiver (21) coupled to the video controller (25); a remote control unit (10) including a pointing device (touch panel 11), capable of generating a signal corresponding to motion (see controlling a cursor, see abstract) by an operator on the pointing device in two directions and providing the signal corresponding to the motion to the input, the two directions including a first direction and a second direction (see col. 7, lines 1-2), wherein the motion by an operator on the pointing device correlates with a cursor movement in the video display (see controlling a cursor, see abstract); and a wireless transmitter (16) mounted in the remote control unit (10); and the video controller being configured to display menu (see figs. 4A-4B), and to select among function on the menu in response to a signal generated which corresponds to motion by the operator in the first direction, and to select a value of a selected function in response to a signal generated which corresponds to motion by the operator in a second direction (see figs. 4A-4B, see co. 4,lines 33-45), wherein the motion in the first direction is a movement by the operator on the pointing device and the

motion in the second direction is another movement by the operator on the pointing device (see figs 4A-4B, see control function, and select values with channel or volume).

Regarding claim 11, Lee discloses in fig. 7, a remote control and display system comprising a video monitor (22) including a video display (25); a video controller (27) coupled to the video display and being responsive to an input; and a wireless receiver (210 coupled to the video controller; a remote control unit (10) including a touchpad (11), capable of generating a signal corresponding to motion by an operator relative to the pointing device in two directions and providing the signal corresponding to the motion to the input, the two directions including a substantially vertical direction and a substantially horizontal direction, wherein the motion by an operator relative to the touchpad correlates with a cursor movement in the video display (as discussed above); and a wireless transmitter (16) mounted in the remote control unit (10); and the video controller (27) being configured to display a menu (discussed above), and to select among functions on the menu in response to a user input to the touchpad (11) in the substantially vertical direction, causing a horizontal values display for a selected function to be activated, and move an indicator horizontally along the horizontal value display in response to a user input to the touchpad in the substantially horizontal direction (see functions 1-10, fig. 4A, select values such as channel, volume as discussed), and to select a currently indicated value upon termination of contact with the touchpad by the user (see figs. 4A-4B).

Regarding claims 12-15, Lee discloses in fig. 7, the motion by the operator on the pointing includes motion by the operator relative to a pointing surface of the pointing device (see finger touch to the touch panel 11, thus cursor will be moved, see col. 6,lines 42-52). Lee et al.

may also disclose an inherent the pointing device comprises sliding motion on the pointing device.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
October 22, 2005

AMR A. AWAD
PRIMARY EXAMINER